

APR. 25. 2003 3:08PM

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NO. 1427 P. 1



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April 25, 2003

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AFTER FINAL TC1700 Ex. J. Rhee Group -Art Unit 1772	703-872-9311	U.S. Patent Office Washington, DC
TC1700 Ex. J. Rhee Group-Art Unit 1772	703-872-9310	U.S. Patent Office Washington, DC

Kristin L. Johnson  
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3

PAGES (WITH COVER)

I4060/205649

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**COMMENTS**

Please acknowledge receipt of the enclosed:

- 1) Applicant Initiated Interview Request Form (PTOL-413A)
- 2) Attachment to PTOL=413A

For:

Applicant(s): Daniel et al.

Title: Orthogonally Ambiguous Carpet Tile

Serial No.: 09/783,354

Filing Date: February 14, 2001

Attorney Docket No. IRC293 I4060/205649

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APR. 25. 2003 2:55PM

KILPATRICK STOCKTON

NO. 1426 PT. 2 A (03-03)

Approved for use through 3/31/03. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**Application No.: 09 / 783,354 First Named Applicant: Sydney Daniel  
Examiner: Jane Rhee Art Unit: 1772 Status of Application: Pending**Tentative Participants:**(1) John S. Pratt (2) Kristin L. Johnson  
(3) Jane Rhee (4) \_\_\_\_\_Proposed Date of Interview: April 29, 2003Proposed Time: 2:00PM (AM/PM)**Type of Interview Requested:**(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1, 47</u>	<u>Eusemann</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet AttachedBrief Description of Arguments to be Presented:  
Please see the attached sheet.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Kristin L. Johnson  
(Applicant/Applicant's Representative Signature)\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Serial No. 09/783,354

ATTACHEMENT TO  
APPLICANT INITIATED INTERVIEW REQUEST FORM

The availability of the attached Applicant Initiated Interview Request Form PTOL-413A has just come to the attention of the undersigned counsel, and it is therefore being presented to supplement and document prior requests for a brief telephone interview in this matter.

An Office Action issued January 23, 2003 finally rejecting all pending claims. Applicants' assignee subsequently filed an amendment after final in response to which a March 12, 2003 Advisory Action ("Advisory Action") was mailed. Upon receipt of the Advisory Action, applicants' assignee's attorneys immediately called the Examiner in an effort to discuss her "Response to Arguments" attached to the Advisory Action. The above-identified attorneys could not understand the Examiner's arguments and therefore needed clarification from her (in particular, about the Examiner's interpretation of "irregular laying" mentioned in a reference and her arguments with respect to claim 47) before proceeding in the case. Assignee's attorney, Kris Johnson, left a message on the Examiner's voicemail requesting that she return the call, but the call was not returned.

The attorneys filed a Request for Reconsideration in the case on March 31, 2003. Kris Johnson called and spoke with the Examiner on March 31, 2003 to ask her to consider and discuss the request. She indicated that she would have to check with her SPE before granting an interview. According to the Examiner, her SPE was out of the office until the next day. She promised to check with him then and call back, but never did. Kris Johnson followed up with her on April 2, 2003. The Examiner said that she had not had an opportunity to talk with her SPE, but that she had a meeting with him that day at 3:00 pm and would call Ms. Johnson back, but again never did.

The attorneys therefore filed a Supplemental Request for Consideration and a Request for Interview on April 4, 2003, but they did not hear from the Examiner. Kris Johnson called the Examiner on April 16, 2003 to follow up with respect to the Request for Interview. The Examiner indicated that her SPE would need to be at the interview, and she and the SPE were having trouble finding a time when they were both available. She indicated that Ms. Johnson should call her in a few weeks to see about scheduling an interview. Ms. Johnson pointed out that in a few weeks the Examiner's schedule would already be full again and thus requested that she return her call with a proposed interview date and time when both she and her SPE would be available. The Examiner promised that she would call Ms. Johnson with that information, but has not yet done so.

Applicant's assignee, through the undersigned counsel, requests a prompt response from the Examiner preferably granting the long-requested opportunity to discuss the matters described above. If the Examiner chooses to deny this request, they request the courtesy of being informed of that denial so that applicants' assignee can either or both appeal the final rejection or petition the Commissioner, as it determines to be appropriate, without further delay in the prosecution of this important application.

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